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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA, : INFORMATION

-v.- :

GEORGE LANDEGGER, :

Defendant. :

- - - - -X

COUNT ONE

(Willful Failure to File Reports of
Foreign Bank and Financial Accounts)

The United States Attorney charges:

The Defendant

1. At all times relevant to this Information, GEORGE LANDEGGER, the defendant, was a citizen of the United States and resided in Ridgefield, Connecticut.

Obligations of United States Taxpayers
With Respect to Foreign Financial Accounts

2. Citizens and residents of the United States who have income in any one calendar year in excess of a threshold amount ("U.S. taxpayers") are obligated to file a U.S. Individual Income Tax Return, Form 1040 ("Form 1040"), for that calendar year with the Internal Revenue Service ("IRS"). On such return, U.S. taxpayers are obligated to report their income from any source, regardless of whether the source of their income is inside or outside the United States. In addition, on Schedule B of Form 1040, the filer must indicate whether "at any

JUDGE SULLIVAN

time during [the relevant calendar year]" the filer had "an interest in or a signature or other authority over a financial account in a foreign country, such as a bank account, securities account, or other financial account." If the taxpayer answers that question in the affirmative, then the taxpayer must indicate the name of the particular country in which the account is located. At all times relevant to this Information, GEORGE LANDEGGER, the defendant, was a U.S. taxpayer.

3. Separate and apart from the obligation to file Forms 1040, U.S. taxpayers who have a financial interest in, or signature authority over, a bank, securities, or other financial account in a foreign country with an aggregate value of more than \$10,000 at any time during a particular calendar year are required to file with the IRS a Report of Foreign Bank and Financial Accounts, Form TD F 90-22.1 ("FBAR"). The FBAR for any calendar year is required to be filed on or before June 30 of the following calendar year. The FBAR requires that the filer identify the financial institution with which the account is held, the type of account (either bank, securities, or other), the account number, and the maximum value of the account during the calendar year for which the FBAR is being filed.

4. When a U.S. taxpayer beneficially owns a bank, securities, or other financial account that is maintained outside the United States, but fails to disclose the account or

the income generated in the account to the IRS on Schedule B of Form 1040 or on an FBAR, the account is referred to as an "undeclared account."

LANDEGGER's Undeclared Accounts at the Swiss Bank

5. From at least in or about the early 2000s until in or about 2010, GEORGE LANDEGGER, the defendant, had a financial interest in, and signature and other authority over, undeclared bank accounts at a Swiss private bank headquartered in Zurich, Switzerland (the "Swiss Bank") that had a value of more than \$10,000. At all times relevant to this Information, the Swiss Bank provided private banking services to and maintained undeclared accounts for U.S. taxpayers.

6. In or about 2005, a representative of the Swiss Bank ("Swiss Bank Representative-1") recommended to GEORGE LANDEGGER, the defendant, that for the protection of LANDEGGER and the Swiss Bank, LANDEGGER utilize the services of Edgar Paltzer - an attorney based in Zurich, Switzerland - to form a sham entity to hold LANDEGGER's undeclared accounts at the Swiss Bank. Thereafter, in or about 2005, Paltzer formed a sham trust organized under the laws of Lichtenstein named "Onicuppac," which is the word "Cappuccino" in reverse. The purpose of the sham trust was to hold LANDEGGER's undeclared accounts at the Swiss Bank and further conceal LANDEGGER's ownership of those accounts from the IRS.

7. On or about April 29, 2009, GEORGE LANDEGGER, the defendant, had a meeting in Switzerland with Swiss Bank Representative-1 and one of Paltzer's associates (the "April 2009 Meeting"). The purpose of the April 2009 Meeting was to discuss the future of LANDEGGER's undeclared accounts at the Swiss Bank, in light of the public news that another Swiss bank, UBS AG, had been investigated by United States law enforcement authorities for helping U.S. taxpayers maintain undeclared accounts. During that meeting, LANDEGGER and Swiss Bank Representative-1 discussed the possibility of LANDEGGER disclosing his undeclared accounts to the IRS, including by entering the IRS's offshore voluntary disclosure program (the "OVDP"). LANDEGGER affirmatively rejected the possibility of disclosing his undeclared accounts to the IRS, whether by entering the OVDP or by any other method. Instead, LANDEGGER and Swiss Bank Representative-1 determined to empty the accounts of their assets by slowly moving the undeclared assets out of Switzerland.

8. Thereafter, between in or about May 2009 and in or about July 2010, GEORGE LANDEGGER, the defendant, with the assistance of Swiss Bank Representative-1 and others at the Swiss Bank, emptied the assets from his undeclared accounts at the Swiss Bank by transferring a portion of those undeclared assets to a new, declared account in Canada, and by transferring

the remainder of the undeclared assets to an account maintained by another individual in Hong Kong.

9. During the time period that GEORGE LANDEGGER, the defendant, maintained the undeclared accounts at the Swiss Bank, capital gains and losses were generated in the undeclared accounts from LANDEGGER's investments in foreign securities. On or about the dates indicated below, the undeclared accounts held assets valued at approximately the following amounts:

Date	Approximate Value of Assets Held in the Undeclared Accounts
December 31, 2007	\$8,430,089
December 31, 2008	\$7,084,564
December 31, 2009	\$2,445,473

LANDEGGER's Tax Returns and FBARs

10. For each of the calendar years from at least 2007 through 2010, GEORGE LANDEGGER, the defendant, filed and caused to be filed with the IRS a U.S. Individual Income Tax Return, Form 1040. On each of these returns, which were prepared in New York, New York, LANDEGGER knowingly and willfully failed to report as income dividends, interest, and other income received by LANDEGGER in the undeclared accounts at the Swiss Bank. On Schedule B attached to each of these returns, LANDEGGER knowingly and willfully failed to disclose that LANDEGGER had an

interest in, and signature and other authority over, a financial account in Switzerland, when, in truth and in fact, and as LANDEGGER then and there well knew, LANDEGGER had an interest in and signature authority over financial accounts in Switzerland.

11. For each of the calendar years from at least the early 2000s through 2010, GEORGE LANDEGGER, the defendant, failed to file, and failed to cause to be filed, with the IRS an FBAR disclosing his signatory and other authority over his undeclared accounts at the Swiss Bank.

Statutory Allegations

12. On or before the filing due dates listed below, in the Southern District of New York and elsewhere, GEORGE LANDEGGER, the defendant, did knowingly and willfully fail to file with the Commissioner of the IRS an FBAR disclosing that he had a financial interest in, and signature and other authority over, a bank, securities, and other financial account in a foreign country, to wit, foreign bank, securities, and other financial accounts at the Swiss Bank, which had an aggregate value of more than \$10,000 during each of the years below:

Calendar Year	Due Date to File FBAR	Bank
2007	June 30, 2008	The Swiss Bank
2008	June 30, 2009	The Swiss Bank
2009	June 30, 2010	The Swiss Bank

Calendar Year	Due Date to File FBAR	Bank
2010	June 30, 2011	The Swiss Bank

(Title 31, United States Code, Sections 5314 and 5322(a);
Title 31, Code of Federal Regulations,
Sections 1010.350, 1010.306(c, d), and 1010.840(b).)



PREET BHARARA
United States Attorney

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(31 U.S.C. §§ 5314, 5322(a))

PREET BHARARA
United States Attorney.
